

House Amendment 1278

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1 1 Amend House File 663 as follows:
1 2 #1. Page 1, by inserting after line 25 the
1 3 following:
1 4 <Sec. _____. NEW SECTION. 298.2A PHYSICAL PLANT
1 5 AND EQUIPMENT LEVY STATE FUND == DISTRIBUTION.
1 6 1. A physical plant and equipment levy state fund
1 7 is created as a separate and distinct fund in the
1 8 state treasury under the control of the department of
1 9 education. Moneys in the fund include revenues
1 10 deposited into the fund pursuant to subsection 2,
1 11 appropriations made to the fund, and other moneys
1 12 deposited into the fund. Any moneys disbursed from
1 13 the fund shall be used as provided in section 298.3.
1 14 2. For the school budget year beginning July 1,
1 15 2004, and for each succeeding budget year, the county
1 16 treasurer shall remit to the department of education
1 17 for deposit into the physical plant and equipment levy
1 18 state fund the property tax revenues received from the
1 19 collection during the school budget year of the
1 20 regular physical plant and equipment levy.
1 21 3. The amount deposited in the physical plant and
1 22 equipment levy state fund in a budget year shall be
1 23 distributed as follows:
1 24 a. A school district that imposed during the
1 25 budget year beginning July 1, 2003, the regular
1 26 physical plant and equipment levy and that has an
1 27 infrastructure tax capacity per student above the
1 28 guaranteed school infrastructure amount shall receive
1 29 an amount equal to the amount raised by its regular
1 30 physical plant and equipment levy.
1 31 b. (1) A school district that imposed during the
1 32 budget year beginning July 1, 2003, the regular
1 33 physical plant and equipment levy and that has an
1 34 infrastructure tax capacity per student below its
1 35 guaranteed school infrastructure amount shall receive
1 36 an amount equal to the amount raised by its regular
1 37 physical plant and equipment levy plus an amount equal
1 38 to its supplemental school infrastructure amount.
1 39 (2) A school district that did not impose during
1 40 but imposed after the budget year beginning July 1,
1 41 2003, the regular physical plant and equipment levy
1 42 shall receive an amount equal to the amount raised by
1 43 the regular physical plant and equipment levy, not to
1 44 exceed its guaranteed school infrastructure amount.
1 45 However, if the amount raised is less than its
1 46 guaranteed school infrastructure amount, the district
1 47 shall receive an additional amount equal to its
1 48 supplemental school infrastructure amount.
1 49 (3) A school district that had not imposed during
1 50 the prior budget year the regular physical plant and
2 1 equipment levy shall receive an amount equal to the
2 2 amount raised by the regular physical plant and
2 3 equipment levy not to exceed its guaranteed school
2 4 infrastructure amount. However, if the amount raised
2 5 is less than its guaranteed school infrastructure
2 6 amount, the district shall receive an additional
2 7 amount equal to its supplemental school infrastructure
2 8 amount.
2 9 (4) The amount distributed under this paragraph
2 10 "b" which a school district receives shall not exceed
2 11 the guaranteed school infrastructure amount. A school
2 12 district qualifying for a supplemental school
2 13 infrastructure amount pursuant to this paragraph "b"
2 14 shall not receive more than the guaranteed school
2 15 infrastructure amount in any subsequent year.
2 16 4. a. The department of education by June 1
2 17 preceding each budget year shall compute the
2 18 guaranteed school infrastructure amount for each
2 19 school district, each school district's infrastructure
2 20 tax capacity per student, the statewide tax revenues
2 21 per student, and the supplemental school

2 22 infrastructure amount for the coming budget year.
2 23 b. For purposes of distributions under subsection
2 24 2:
2 25 (1) "Guaranteed school infrastructure amount"
2 26 means for a school district the statewide tax revenues
2 27 per student, multiplied by the quotient of the regular
2 28 physical plant and equipment levy rate per thousand
2 29 dollars imposed in the school district, divided by
2 30 thirty-three cents per thousand dollars.
2 31 (2) "Infrastructure tax capacity per student"
2 32 means for a school district the estimated amount of
2 33 revenues that a school district receives or would
2 34 receive if the regular physical plant and equipment
2 35 levy of thirty-three cents per thousand dollars is
2 36 imposed divided by the school district's actual
2 37 enrollment as determined in section 257.6, subsection
2 38 1.
2 39 (3) "Statewide tax revenues per student" means the
2 40 amount determined by estimating the total revenues
2 41 that would be generated by a regular physical plant
2 42 and equipment levy of thirty-three cents per thousand
2 43 dollars if imposed by all the school districts during
2 44 the budget year and dividing this estimated revenue
2 45 amount by the sum of the combined actual enrollment
2 46 for all school districts as determined in section
2 47 257.6, subsection 1.
2 48 (4) "Supplemental school infrastructure amount"
2 49 means the guaranteed school infrastructure amount for
2 50 the school district less the amount raised by its
3 1 regular physical plant and equipment levy.
3 2 5. In the case of a deficiency in the fund to pay
3 3 the supplemental school infrastructure amounts in
3 4 full, the amount available in the fund less the amount
3 5 raised by the regular levy attributed to each school
3 6 district should be allocated based on the proportion
3 7 of actual enrollment in the district to the combined
3 8 actual enrollment of the school districts that qualify
3 9 for the supplemental school infrastructure amount.
3 10 6. A school district with less than two hundred
3 11 fifty actual enrollment or less than one hundred
3 12 actual enrollment in the high school shall not expend
3 13 the supplemental school infrastructure amount received
3 14 for new construction or for payments for bonds issued
3 15 for new construction against the supplemental school
3 16 infrastructure amount without prior application to the
3 17 department of education and receipt of a certificate
3 18 of need pursuant to this subsection. However, a
3 19 certificate of need is not required for the payment of
3 20 outstanding bonds issued for new construction pursuant
3 21 to section 296.1, before April 1, 2003. A
3 22 certification of need is also not required for
3 23 repairing schoolhouses or buildings, equipment,
3 24 technology, or transportation equipment for
3 25 transporting students as provided in section 298.3, or
3 26 for construction necessary for compliance with the
3 27 federal Americans With Disabilities Act pursuant to 42
3 28 U.S.C. } 12101-12117. In determining whether a
3 29 certificate of need shall be issued, the department
3 30 shall consider all of the following:
3 31 a. Enrollment trends in the grades that will be
3 32 served at the new construction site.
3 33 b. The infeasibility of remodeling,
3 34 reconstructing, or repairing existing buildings.
3 35 c. The fire and health safety needs of the school
3 36 district.
3 37 d. The distance, convenience, cost of
3 38 transportation, and accessibility of the new
3 39 construction site to the students to be served at the
3 40 new construction site.
3 41 e. Availability of alternative, less costly, or
3 42 more effective means of serving the needs of the
3 43 students.
3 44 f. Any other criteria deemed appropriate as set by
3 45 rules of the state board of education.
3 46 7. This section does not apply to the collection
3 47 and distribution of any voter-approved physical plant
3 48 and equipment levy.>
3 49 #2. Title page, line 4, by inserting after the
3 50 word <purposes> the following: <and the regular
4 1 physical plant and equipment levies>.

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4 4
4 5 WENDT of Woodbury
4 6 HF 663.501 80
4 7 mg/pj
